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RICHARD A. MARSHACK

8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

10 In re

11 THE LITIGATION PRACTICE GROUP P.C.,

12 Putative Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

SUPPLEMENTAL DECLARATION OF
RICHARD A. MARSHACK IN SUPPORT
OF MOTION OF TRUSTEE RICHARD A.
MARSHACK FOR ENTRY OF AN ORDER
(A) APPROVING SALE, SUBJECT TO
OVERBID, OF ASSETS FREE AND
CLEAR OF ALL LIENS, CLAIMS,
ENCUMBRANCES AND INTERESTS
PURSUANT TO 11 U.S.C. § 363(b) AND
(B) APPROVING ASSUMPTION AND
ASSIGNMENT OF CERTAIN
EXECUTORY CONTRACTS AND
UNEXPIRED LEASES AND OTHER
AGREEMENTS

Date: July 21, 2023

Time: 10:00 a.m.

Ctrm: 5C-Virtual¹

Location: 411 W. Fourth St.
Santa Ana, CA 92701

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26 _____
27 ¹ This hearing date is designated Zoom Only, pursuant to Judge Clarkson's self-scheduling
28 procedures. Video and audio connection information for each hearing will be provided on Judge
Clarkson's publicly posted hearing calendar, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=SC>.

Supplemental Declaration of Richard A. Marshack

I, RICHARD A. MARSHACK, declare as follows:

1. I am an individual over 18 years of age and competent to make this Declaration.

2. If called upon to do so, I could and would competently testify as to the facts set forth in this Declaration.

3. I am the duly appointed Chapter 11 Trustee of the bankruptcy estate (“Estate”) of The Litigation Practice Group P.C. (“Debtor” or “LPG”).

4. The facts set forth below are true of my personal knowledge unless otherwise stated.

5. I make this Declaration in support of my Motion for Entry of an Order (A) Approving Sale, Subject to Overbid, of Assets Free and Clear of all Liens, Claims, Encumbrances and Interests Pursuant to 11 U.S.C. § 363(B) and (B) Approving Assumption and Assignment of Certain Executory Contracts and Unexpired Leases and Other Agreements (“Motion”). Importantly, I am providing this declaration in response to briefs and arguments raised by multiple parties regarding the sufficiency of marketing efforts and due process, evidence of value, and the timing of the sale hearing on shortened notice.

6. On June 2, 2023, my counsel served the Court’s temporary restraining order which placed me in control of Debtor’s assets including those purportedly transferred to Phoenix Law. From and after this date, I have been actively attempting to market Debtor’s assets and identify potential buyers.

7. On July 11, 2023, as Dk. No. 215, my counsel filed a notice of sale of estate property which the Court uses to post sale information on its Twitter account.

8. With respect to the sale of the assets proposed in the Sale Motion, I and my counsel have spoken to multiple parties about their interest in purchasing. These parties include the following:

(a) Consumer Legal Group represented by Ron Richards and Daniel Lev;

(b) Azzure Capital represented by Sharon Weiss;

(c) StratCap Management – principal Wes Thomas;

- 1 (d) Resolution Ventures/Elite Legal - Russ Squires;
- 2 (e) Creditors Debt Validation Fund II, LLC, MCDVI Fund 1, LLC, and MCDVI Fund 2,
- 3 LLC – represented by David Cousineau and Richard Golubow;
- 4 (f) Affirma and Oxford Knox, LLC represented by Jeff Golden and Eric Bensamochan;
- 5 (g) Panam Consulting Group represented by Eric Bensamochan;
- 6 (h) Phoenix Law through its principal, Ty Carss; and
- 7 (i) Sapphire Management Holdings LLC represented by Sandford Frey.

8 9. The above is a non-exhaustive list of interested parties and potential buyers. Others
9 were also spoken to by me or my counsel, some of whom chose not to participate.

10 10. My counsel and I have also spoken multiple times at the beginning of the case with
11 Debtor's counsel, Joon Khang, and Debtor's principals, Tony Diab and Dan March, regarding
12 Debtor's assets, transfers, and law firms and businesses in the industry to try to identify potential
13 purchasers.

14 11. All negotiations for the sale of Debtor's assets have all been conducted at arms-length
15 and no party has received favorable treatment.

16 12. My counsel and I have also investigated each potential purchaser to identify any
17 connections with Debtor or its principals, whether any potential purchaser is a creditor, and their
18 reputation in the industry.

19 13. I have also required all potentially interested purchasers to agree to certain safeguards
20 that have been designed to protect the consumer clients including their consent to the appointment of
21 a post-sale Monitor that will have the right to audit the buyer's compliance with applicable laws.

22 14. All potential purchasers have also been advised that any purchase and sale agreement
23 must include the buyer's contractual commitment to comply with all applicable consumer protection
24 laws and they have also been advised that the contracts between Debtor and the consumers must be
25 reformed to comply with all applicable laws.

26 15. After completing all my due diligence and investigations, I believe that the proposed
27 sale to the highest and best bidder will be fair and equitable and in the best interests of the estate.

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1 16. I have also had e-mail notice sent to all clients on July 12, 2023, through Debtor's
2 software advising them of the proposed sale. (Dk. 233) The identities of all clients that received this
3 notice has been provided to the Office of the United States Trustee at their request.

4 17. A majority of the members of the Official Committee of Unsecured Creditors are
5 consumers. The Committee has filed a brief in support of the proposed sale. As such, the official
6 representative of the consumer clients through well-regarded counsel have spoken in favor of a sale.

7 18. The largest creditors of the estate have also filed briefs in support of the sale.

8 19. While there have been several briefs filed in opposition to the sale, I believe that
9 position of the Committee and the largest creditors of the estate are of paramount importance.

10 20. I do not believe that further time will lead to a higher sales price. In fact, I believe that
11 any delay in the sale hearing will adversely affect the sales price because the estate does not have
12 sufficient funds to pay for costs of operations given the segregation of all ACH pulls received from
13 Debtor's consumer clients. I have already had to file three financing motions and grant super-priority
14 administrative claims to the lenders.

15 21. I also believe that sufficient due process has been afforded to the consumer clients
16 and all creditors given the difficult circumstances which I face in administering Debtor's assets.
17 Specifically, all creditors received notice of the sale hearing and all consumer clients will receive the
18 90-day notice provided for in State Bar Rule 1.17 and the similar ABA Model Rule. As such, any
19 client that does not want to be represented by the successful buyer will receive notice and another 90
20 days within which they can opt-out of the sale. This safeguard is in addition to the right of any client
21 to notify Debtor or the successful buyer that they choose to no longer be represented or that they
22 have decided to retain successor counsel.

23 22. Lastly, I directed my counsel to contact all potential secured creditors to investigate
24 the scope and extent of secured debt. To that end, attached as Exhibit "1" is a chart prepared by my
25 attorneys that summarizes the efforts made and the results of these efforts to date.


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1 23. In my business judgment, proceeding to a sale at the hearing on Friday, July 21, 2023,
2 will be in the best interest of the estate.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed on July 20,
4 2023.

5 
6 RICHARD A. MARSHACK

7 4884-5510-4113, v. 1

EXHIBIT 1

**Chart re: Letters to Secured Creditors re: amounts owed, if any
Responses due by July 20, 2023**

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	CT Corporation System, as Representative Attn: SPRS 330 N. Brand Blvd., Suite 700 Glendale, CA 91203 uccfilingreturn@woiterskluwer.com	5/28/21	<ul style="list-style-type: none"> UCC No. U210050853928 (Filed 5/28/21) 	<p>07/18/23 sent via overnight mail and email. 07/20/23 Received an email response from Joydeep Bhattacharjee 800.833.5778: “We provide a service to the secured party that protects their information from being public knowledge, and instead, lists us as the secured party. Lien Solutions did not file the referenced liens against the listed debtor but instead, we are a servicing company that provides the software used to file liens.</p> <p>Please be assured we will forward this request to the secured parties within 1 business day, including your contact information. We are unable to guarantee a specific timeframe, as the response comes from the secured party directly.</p> <p>Lien Solutions cannot reveal the secured party’s identity;</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	MNS Funding LLC 3611 15 th Avenue Brooklyn, NY 11218	5/28/21	<ul style="list-style-type: none"> UCC No. U210050823723 (Filed 5/28/21) 	terminate a UCC, nor take any action on their behalf, as we are a filing company and have no financial interest in the lien itself."	
07/18/23	MNS Funding LLC 5314 16 th Avenue, Suite 139 Brooklyn, NY 11204			07/18/23 sent via overnight mail and email.	
	Corporation Service Company 801 Adlai Stevenson Drive Springfield, IL 62703 SPRFiling@csccglobal.com				
07/18/23	Everyday Funding Group 1308 Kings Highway Brooklyn, NY 11229	6/2/21	<ul style="list-style-type: none"> UCC No. U210052109216 (Filed 6/2/21) 	07/18/23 sent via overnight mail and email. 07/20/23 Received an email response:	
	Everyday Funding Group 132 32 nd Street Brooklyn, NY 11232 uccfilingreturn@wolterskluwer.com			"Lien Solutions did not file the referenced lien (Filing # U210052109216) against the listed debtor but instead, we are a servicing company that provides the software used to file liens. Please reach out to the below-secured party for further questions on this filing.	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	Corporation Service Company, as Representative 801 Adlai Stevenson Drive Springfield, IL 62703 Corporation Service Company P.O. Box 2576 Springfield, IL 62708 SPRfiling@csccglobal.com AND uccsprep@csccinfo.com Per 7/19 email: Secured Creditor is Franklin Capital Group LLC & Franklin Capital Management LLC.	6/4/21	<ul style="list-style-type: none"> UCC No. U210052792122 (Filed 6/4/21) 	<p><i>Listed Secured Party: Everyday Funding Group Phone Number: (631) 343-8700"</i></p> <p>07/18/23 sent via overnight mail and email. 07/18/23 received response email from CSC. "CORPORATION SERVICE COMPANY, or the name of one of its affiliates, is listed on the UCC financing statement as the representative of the secured party to help prevent use of the public record for sales solicitations. CSC shall promptly forward your message to the secured party in accord with its instructions. Any further response will come directly from the secured party. CSC has no authority to respond, provide additional information about the transaction or take any other action on behalf of the secured party. Please be advised that some represented secured parties will not respond to third parties. Third parties should contact the debtor for</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
				<p><i>more information. Please reach out with any questions."</i></p> <p>07/19/2023 received response from CSC Financial (Jessi Neighbors 1-800-858-5294 and Jessi.Neighbros@cscglobal.com</p> <p>"Thank you for your communication. After reviewing the information you sent we determined that CSC is neither the secured party nor representative of the secured party on the UCC financing statement. CSC is merely listed in the portion of the form reserved for filing office use to identify where the clerk should return an acknowledgment of filing. Corporation Service Company is a third party filing company and consequently has no authority to forward your communication.</p> <p>You will need to contact the secured parties, Franklin Capital Group, LLC & Franklin capital Management, LLC, directly at the address they designated for this</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	CT Corporation System, as Representative Attn: SPRS 330 N. Brand Blvd., Suite 700 Glendale, CA 91203 uccfilingreturn@wolterskluwer.com	6/17/21	<ul style="list-style-type: none"> UCC No. U210057670018 (Filed 6/17/21) 	<p>purpose in Section 3 of the original financing statement to address your request. We do not have any alternative contact information for the secured party. We generally recommend doing a Google search to find a local or 1-800 number and then ask for their UCC lien department. I hope this assists with your request!"</p> <p>It appears that the secured creditor for this UCC is Franklin Capital Group LLC & Franklin Capital Management LLC. We will need to send out another letter to the Franklin Group with this new UCC.</p>	
				<p>07/18/23 sent via overnight mail and email. 07/20/23 Received an email response from Joydeep Bhattacharjee 800.833.5778: "We provide a service to the secured party that protects their information from being public knowledge, and instead, lists us as the secured party. Lien Solutions did not file the</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	Green Fund NY 276 5 th Avenue Room 704 Brooklyn, NY 10001 uccfilingreturn@wolterskluwer.com	6/17/21	<ul style="list-style-type: none"> UCC No. U210057632826 (Filed 6/17/21) 	<p><i>referenced liens against the listed debtor but instead, we are a servicing company that provides the software used to file liens.</i></p> <p><i>Please be assured we will forward this request to the secured parties within 1 business day, including your contact information. We are unable to guarantee a specific timeframe, as the response comes from the secured party directly.</i></p> <p><i>Lien Solutions cannot reveal the secured party's identity, terminate a UCC, nor take any action on their behalf, as we are a filing company and have no financial interest in the lien itself."</i></p> <p>07/18/23 sent via overnight mail and email. 07/20/23 Received an email response from Joydeep Bhattachajee 800.833.5778: "Lien Solutions did not file the referenced lien (Filing # U210057632826) against the listed debtor but instead, we are a</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
				servicing company that provides the software used to file liens. Please reach out to the below-secured party for further questions on this filing. Listed Secured Party: GREEN FUND NY (Tailored Fund Cap LLC) Phone Number: (212) 755-2445"	
07/18/23	World Global Fund LLC c/o File Right LLC, Agent for Service of Process 5314 16 Avenue, Suite 139 Brooklyn, NY 11204	6/24/21	<ul style="list-style-type: none"> UCC No. U210059750525 (Filed 6/24/21) 	07/18/23 sent via overnight mail and email.	
	World Global Fund LLC 5309 13 th Avenue Brooklyn, NY 11220 SPRRFiling@escglobal.com				
07/18/23	CT Corporation System, as Representative Attn: SPRS 330 N. Brand Blvd., Suite 700 Glendale, CA 91203 uccfilingreturn@wolterskluwer.com	7/6/21	<ul style="list-style-type: none"> UCC No. U210062497027 (Filed 7/6/21) 	07/18/23 sent via overnight mail and email. 07/20/23 Received an email response from Joydeep Bhattacharjee 800.833.5778: "We provide a service to the secured party that protects their information from being public knowledge, and instead, lists us as the secured party. Lien Solutions did not file the referenced liens against the	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	MCA Capital Holdings LLC 254 32 nd Street Bld. 2 C303 Brooklyn, NY 11232 MCA Capital Holdings LLC 802 Avenue U Brooklyn, NY 11223 uccfilingreturn@wolterskluwer.com	8/16/21	<ul style="list-style-type: none"> UCC No. U210075685527 (Filed 8/16/21) 	<p><i>listed debtor but instead, we are a servicing company that provides the software used to file liens.</i></p> <p><i>Please be assured we will forward this request to the secured parties within 1 business day, including your contact information. We are unable to guarantee a specific timeframe, as the response comes from the secured party directly.</i></p> <p><i>Lien Solutions cannot reveal the secured party's identity, terminate a UCC, nor take any action on their behalf, as we are a filing company and have no financial interest in the lien itself."</i></p> <p>07/18/23 sent via overnight mail and email. 07/20/23 Received an email from Joydeep Bhattacharjee 800.833.5778:</p> <p><i>"Lien Solutions did not file the referenced lien (Filing # U210075685527) against the listed debtor but instead, we are a servicing company that</i></p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
				<i>provides the software used to file liens. Please reach out to the below-secured party for further questions on this filing.</i> <i>Listed Secured Party: MCA Capital Holdings LLC Phone Number: (585) 381-0900 / 646-904-8735"</i>	
07/18/23	BMF Advance 1022 Avenue M Brooklyn, NY 11230	10/4/21	<ul style="list-style-type: none"> UCC No. U210090322021 (Filed 10/4/21) 	07/18/23 sent via overnight mail and email.	
	BMF Advance LLC 1820 Ave M, Ste 125 Brooklyn, NY 11230 uccfilingreturn@wolterskluwer.com				
07/18/23	Franklin Capital Management LLC Attn: Adam Weiner, Resident Agent 1901 St. Antoine St 6th Floor at Ford Field Detroit MI 48226 Franklin Capital Management, LLC 32300 Northwestern Hwy. Farmington Hills, MI 48334 SPRFiling@escglobal.com	10/26/21	<ul style="list-style-type: none"> UCC No. U210096955939 (Filed 10/26/21) 	07/18/23 sent via overnight mail and email.	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	Franklin Capital Management LLC Attn: Adam Weiner, Resident Agent 1901 St. Antoine St 6th Floor at Ford Field Detroit MI 48226	10/26/21	<ul style="list-style-type: none"> UCC No. U210096958844 (Filed 10/26/21) 	07/18/23 sent via overnight mail and email.	
07/18/21	Franklin Capital Management, LLC 32300 Northwestern Hwy. Farmington Hills, MI 48334 SPRFFiling@escglobal.com	12/1/21	<ul style="list-style-type: none"> UCC No. U210106788229 (Filed 12/1/21) 	07/18/23 sent via overnight mail and email. 07/20/23 we received email from Ariel Peretz (ariel@diversecapitalllc.com): "Please see below balances on in regards to LITIGATION PRACTICE GROUP. Feel free to reach out with any additional questions. Funding agreement dated 8/11/2021 – Balance due : \$152,439.00 Funding agreement dates 8/19/2021 - Balance due: \$877,253.20 Agreement dated 8/19/2021 – Balance due: \$455,914.00 Total debt owed: \$1,485,606.00"	Funding agreement dated 8/11/2021 – Balance due : \$152,439.00 Funding agreement dates 8/19/2021 - Balance due: \$877,253.20 Agreement dated 8/19/2021 – Balance due: \$455,914.00
	Diverse Capital LLC 750 Main Street, Suite 906 Hartford, CT 06103 Diverse Capital LLC Attn: Registered Agent Solutions, Inc., Agent for Service of Process 2138 Silas Dean Hwy, Ste. 101 Rocky Hill, CT 06067 Diverse Capital LLC 243 Tresser Blvd., 17th Floor Stamford, CT 06901-3436 SPRFFiling@escglobal.com and online@ficoso.com			Attachments were the two UCCs – no backup documentation.	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	Diverse Capital LLC 750 Main Street, Suite 906 Hartford, CT 06103 Diverse Capital LLC Attn: Registered Agent Solutions, Inc., Agent for Service of Process 2138 Silas Dean Hwy, Ste. 101 Rocky Hill, CT 06067 Diverse Capital LLC 243 Tresser Blvd., 17th Floor Stamford, CT 06901-3436 SPRFiling@escglobal.com and online@ficoso.com	12/1/21	<ul style="list-style-type: none"> UCC No. U210085288536 (Filed 12/1/21) 	07/18/23 sent via overnight mail and email. 07/20/23 we received email from Ariel Peretz (ariel@diversecapitalllc.com): “Please see below balances on in regards to LITIGATION PRACTICE GROUP. Feel free to reach out with any additional questions. Funding agreement dated 8/11/2021 – Balance due : \$152,439.00 Funding agreement dates 8/19/2021 - Balance due: \$877,253.20 Agreement dated 8/19/2021 – Balance due: \$455,914.00 Total debt owed: \$1,485,606.00”	Funding agreement dated 8/11/2021 – Balance due : \$152,439.00 Funding agreement dates 8/19/2021 - Balance due: \$877,253.20 Agreement dated 8/19/2021 – Balance due: \$455,914.00 Total debt owed: \$1,485,606.00
07/18/23	Fundura Capital Group 80 Broad Street Suite 3303 New York, NY 10004 Fundura Capital Group	N/A	N/A	07/18/23 sent via overnight mail. Attachments were the two UCCs – no backup documentation.	Total debt owed: \$1,485,606.00

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
	Attn: Northwest Registered Agent LLC, Agent for Service of Process 90 State Street, Suite 700 Office 40 Albany, NY 12207				
07/18/23	Stratcap Management LLC Attn: Wes Thomas, CEO 2030 Main Street, Ste. 1300 Irvine, CA 92614 stratcapmgmt@gmail.com	10/21/22	UCC No. U220237657634 (Filed 10/21/22)	07/18/23 sent via overnight mail and email.	
N/A	OHP-CDR, LP, f/k/a OHP-LPG, LP	1/25/23	UCC No. U230005834326 (Filed 1/25/23)	07/18/23 Per email from BNB – do not send. POC No. 44 filed on 05/24/23.	At least \$16,938,954.00
07/18/23	CT Corporation System, as Representative Attn: SPRS 330 N. Brand Blvd., Suite 700 Glendale, CA 91203 uccfilingreturn@woltersklawer.com	1/25/23	<ul style="list-style-type: none"> UCC No. U230006246724 (Filed 1/25/23) 	07/18/23 sent via overnight mail and email. 07/20/23 Received an email response from Joydeep Bhattacharjee 800.833.5778: “We provide a service to the secured party that protects their information from being public knowledge, and instead, lists us as the secured party. Lien Solutions did not file the referenced liens against the listed debtor but instead, we are a servicing company that provides the software used to file liens.”	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	First Corporate Solutions, as Representative 914 S. Street Sacramento, CA 95811 sprs@ficoso.com	2/2/23	<ul style="list-style-type: none"> Letter: 4886-3119-1665 UCC No. U230009059730 (Filed 2/2/23) 	<p><i>Please be assured we will forward this request to the secured parties within 1 business day, including your contact information. We are unable to guarantee a specific timeframe, as the response comes from the secured party directly.</i></p> <p><i>Lien Solutions cannot reveal the secured party's identity, terminate a UCC, nor take any action on their behalf, as we are a filing company and have no financial interest in the lien itself."</i></p>	
				<p>07/18/23 sent via overnight mail and email. 07/18/23 received response email from FCS- They will forward our request to the secured party.</p> <p>Online Services and Monitoring Team First Corporate Solutions, Inc. sprs@ficoso.com www.ficoso.com 914 S Street, Sacramento, CA 95811</p>	

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
07/18/23	ProofPositive LLC Attn: Registered Agents, Inc. 30 N. Gould St., Ste. R Sheridan, WY 82801 monkeymindai@gmail.com	2/9/23	UCC No. U230009725118 (Filed 2/9/23)	<p>07/18/23 sent via overnight mail and email. 07/18/23 we received an email from Todd Hanson:</p> <p><i>"In response to your email on July 18th, 2023 regarding Bankruptcy Case No. 8:23-bk-10571-SC. Yes, both ProofPositive LLC and Venture Partners LLC are owed monies. I have attached a .zip file with executed Affiliate Agreements, Purchase/Sale Agreements, Assignments, UCC-1 Filings, etc. ProofPositive LLC is owed \$1,053,690.00 (Attached UCC-1 File No.: U230009725118) and Venture Partners LLC is owed \$15,959,308.55 (Attached UCC-1 File No.: U230016377733). If you have any questions or I can assist further please don't hesitate to call me anytime.</i></p> <p>Todd Hanson Venture Partners LLC (775) 895-6122" support@venturepartners.ai</p> <p>07/20/2023 – Bradford N. Barnhardt spoke with Ariel</p>	ProofPositive LLC is owed \$1,053,690.00

Date Sent	Secured Creditor	UCC Filing Date	Documents and UCC Filing Date	Notes:	Amount of Alleged Claim (If Known)
				Bouskila ((347) 661-0785) on behalf of Venture Capital Group (he is counsel). He will be sending evidence and the balances.	
N/a	MCDVI Fund 2 LLC, MC DVI Fund 2, LLC, Debt Validation Fund II LLC	2/10/23	UCC No. U230009923531 (Filed 2/10/23)	No letter sent. The MCDVI creditors are represented by Richard Golubow and David Cousineau and have a preferential lien.	
N/A	Venture Partners LLC	3/9/23	UCC No. U230016377733 (Filed 3/9/23)	07/18/23 Per email from BNB – do not send. POC No. 105 filed on 07/10/23.	\$15,959,308.55
N/A	City Capital	3/16/23	UCC No. U230018278331 (Filed 3/16/23)	07/18/23 Per email from BNB – do not send. POC No. 89 filed on 06/27/23.	\$2,950,000.00

4883-9657-3041, v. 2

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **SUPPLEMENTAL DECLARATION OF RICHARD A. MARSHACK IN SUPPORT OF MOTION OF TRUSTEE RICHARD A. MARSHACK FOR ENTRY OF AN ORDER (A) APPROVING SALE, SUBJECT TO OVERBID, OF ASSETS FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS PURSUANT TO 11 U.S.C. § 363(b) AND (B) APPROVING ASSUMPTION AND ASSIGNMENT OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES AND OTHER AGREEMENTS** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **July 20, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **July 20, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
47542 17TH ST, SUITE 100
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **July 20, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 20, 2023

Date

Layla Buchanan

Printed Name

/s/ Layla Buchanan

Signature

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:

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